



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Jason Blackmere, Fire Prevention Officer

DATE: April 3, 2023

REPORT NO.: FIRE-2023-004

SUBJECT: Update and Amendments to Fireworks By-law 2004-0122

RECOMMENDATION:

THAT Report No. FIRE-2023-004 dated April 3, 2023 regarding update and amendments to the Fireworks By-law 2004-0122 be received;

AND FURTHER THAT Council approve the proposed changes outlined in Report No. FIRE-2023-004;

AND FURTHER THAT Council repeal By-law 2004-0122 and replace with a new Fireworks By-law (Appendix A) which captures all of the proposed amendments.

KEY POINTS:

The following are key points for consideration with respect to this report:

- On March 6, 2023 Council received Report No. FIRE-2023-002 which outlined opportunities to amend the current by-law after researching the by-laws from other municipalities;
- Challenges of the current by-law were outlined in Report No. FIRE-2023-002 and key changes were identified, and comments from Council were integrated into the recommended amendments to the current by-law;
- Most notable amendments include, banning the sale of fireworks in Halton Hills, setting acceptable times for discharging fireworks on private property and the addition of Lunar New Year, Diwali and New Year's Eve as observances.

BACKGROUND AND DISCUSSION:

The current Fireworks By-law 2004-0122 was adopted 18 years ago. Fire staff completed a scan of other municipal Fireworks By-laws and have identified opportunities to amend the Town's current by-law.

Historically, Town staff receive complaints about the discharge of fireworks on days outside of the current by-Law. (Victoria Day/Canada Day). Additionally, other complaints surface around fireworks being discharged on public spaces as well as concerns of late at night firework activity.

To help alleviate this, access to the purchase of fireworks will no longer be available in Halton Hills. The use of Family Fireworks (low hazard) will be allowed to continue at this time on private property only with the expressed written consent from the property owner, allowing staff the opportunity to monitor the use and to determine the best enforcement measures.

The discharge of Family Fireworks (low hazard) will not be allowed on public property (parks, roadways etc.). Only Exhibition Fireworks shall be allowed on public property with proper permitting in place and only with a valid permit issued by the Fire Department.

Proposed changes to the by-law are as follows:

Section 1 – Definitions

Add the definition for "Code Enforcement" to read:

Code Enforcement means the process of ensuring compliance within all codes, ordinances, laws and other regulations by an Officer.

Add the definition for "Officer" to read:

Officer includes a Municipal Law Enforcement Officer or other law enforcement officer, Assistant to the Fire Marshall, an officer from Halton Regional Police Service or other person that Council for the Town may designate.

Section 2 – Prohibited

Added a section banning the sale of Family Fireworks to read:

- b) No person shall sell or offer for sale any Family Fireworks in the Town.

Section 3

Removed Section 3 in its entirety as it related to the Sale and Storage of Fireworks, Pyrotechnics, Explosive Materials and Firecrackers.

Section 4 – General Conditions of the Discharge of Fireworks and Pyrotechnic Special Effect Devices

This section was restructured to reflect the discharge of Family Fireworks (low hazard) to read:

Section 3 – Discharge of Family Fireworks

No person who is under the age of 18 years shall discharge any Family Fireworks. A Fireworks Permit is not required for any person aged 18 years or older who discharges Family Fireworks in accordance with the provisions of this by-law.

- 1) No person shall discharge or display any Family Fireworks within the Town at any time during the whole year except on the days observed as Victoria Day, Canada Day, Lunar New Year, Diwali and New Year's Eve.
- 2) Notwithstanding Section 4.1, no person shall discharge any Family Fireworks on the days of observance past 11:00 p.m.
- 3) No person shall discharge Family Fireworks in any park, parking lot or street.
- 4) No person shall discharge Family Fireworks on anyone's private property other than their own.
- 5) No person shall discharge Family Fireworks in the Town of Halton Hills when a Burn Ban issued by the Halton Hills Fire Department is in effect.
- 6) Every person shall ensure that all Family Fireworks that remain unfired and any Family Fireworks that failed to fire shall immediately be disposed of in a safe manner having regard to the particular type of Fireworks remaining.

Section 8- Display of Exhibition of Fireworks & Pyrotechnics Special Effects

Added a new subsection to read:

- a) No person or organization shall display Exhibition Fireworks or Pyrotechnic Special Effects without a Fireworks Permit. The discharging of Exhibition Fireworks or Pyrotechnic Special Effects is only allowed until 11:00 p.m. on the day of the observance.

Other housekeeping amendments have been made to renumber sections to give further distinction of rules between Family Fireworks (low hazard) and Exhibition Fireworks (high hazard).

Understanding while the sale of Family Fireworks would be prohibited in Halton Hills, residents may choose to purchase Family Fireworks from other municipalities therefore the regulations surrounding the discharge of such fireworks must still be addressed. Fire staff will work with Halton Regional Police and the Town's Manager of Enforcement to monitor the amendments to this by-law and update Council accordingly on any financial implications associated with these changes.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement was not needed as this report is administrative in nature. However Fire Staff will work with Enforcement Staff to develop an education and awareness strategy to message the community on the changes to the By-law.

INTERNAL CONSULTATION:

Staff received comments and feedback from Council at the March 6th Council meeting which were incorporated into the amendments of this report. Staff also consulted the Town Clerk and the Manager of Enforcement in preparation of this by-law.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Jon Rehill, Commissioner & Chief of Fire Services

Chris Mills, Chief Administrative Officer